

MANDATE
United States Court of Appeals
For the First Circuit

No. 06-2707

BARRY LINTON

Plaintiff - Appellant

v.

NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION

Defendant - Appellee

JUDGMENT

Entered: March 15, 2007
Pursuant to 1st Cir. R. 27.0(d)

Upon consideration of the parties' stipulation, it is hereby ordered that this appeal be voluntarily dismissed pursuant to Fed. R. App. P. 42(b).

Mandate to issue forthwith.

**Certified and Issued as Mandate
under Fed. R. App. P. 41.**

Richard Cushing Donovan, Clerk

Deputy Clerk

Date: 3/15/07

By the Court:

Richard Cushing Donovan, Clerk

By: MARGARET CARTER
Margaret Carter, Chief Deputy Clerk

[cc: Perry A. Henderson, Richard J. Grahn, Esq., John D. Donovan, Esq., Robert G. Jones, Esq., Levina Wong, Esq.]